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OFFICE OF PETITIONS

In re Application of	:	
George T. Domizio	:	
Application No. 10/811,372	:	DECISION ON PETITION
Filed: March 26, 2004	:	UNDER 37 C.F.R. §1.181
Attorney Docket No. 03-284-2	:	
Title: TOGGLE BOLT	:	

This is a decision on the petition filed on August 22, 2006, pursuant to 37 C.F.R. §1.181, requesting that the holding of abandonment in the above-identified application be withdrawn.

The above-identified application became abandoned for failure to submit an Appeal Brief within two-months of the filing of a Notice of Appeal, filed on March 24, 2006. No extensions of time pursuant to 37 C.F.R. §1.136(a) were received. Accordingly, the above-identified application became abandoned on May 25, 2006. A Notice of Abandonment was mailed on August 1, 2006.

With the present petition, Petitioner has submitted an appeal brief, along with a four-month extension of time. Petitioner has asserted that extensions of time were still available. The electronic file has been reviewed, and Petitioner's assertions appear to be correct. With the filing of this extension of time, the period for reply was extended until the six-month anniversary of the filing of the notice of appeal - September 24, 2006.

Accordingly, the petition under 37 C.F.R. §1.181(a) is **GRANTED**. The holding of abandonment is **WITHDRAWN**.

The Technology Center will be notified of this decision. The Technology Center's support staff will notify the Examiner of

this decision, so that the Appeal Brief which was received with the present petition can be processed. Telephone inquiries regarding this decision should be directed to the undersigned at (571) 272-3225¹. All other inquiries concerning examination procedures or status of the application should be directed to the Technology Center.



Paul Shanowski
Senior Attorney
Office of Petitions
United States Patent and Trademark Office

¹ Petitioner will note that all practice before the Office should be in writing, and the action of the Office will be based exclusively on the written record in the Office. See 37 C.F.R. §1.2. As such, Petitioner is reminded that no telephone discussion may be controlling or considered authority for Petitioner's further action(s).